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dulgence of reflections similar to those which he announces in the case of André? How loose and slippery becomes the ground, if once we forsake the settled principles of military subordination,—if once we stray forth in quest of secret motives and designs!

All laws which are not based on common sense are common nuisances. Tested by this standard, we cannot conceive that the justice and lawfulness of André's fate should be generally and seriously questioned. His success was intended to be the ruin of America, and the destruction of her leaders. What then should have been the penalty of his failure? It was a game of life and death; and a fearful example was, of all things, necessary to our own protection. If André escaped, why should not the next negotiator have had a like immunity? Thus every general in our army might have been in turn subjected to the most dangerous temptations. We therefore again repeat what we believe is, and ever will be, the solemn conviction of our countrymen, if not of all the world, that his life was forfeited by his conduct, and that his death was just and necessary.

ART. XIII.—CRITICAL NOTICES.

1. — *Lyteria: a Dramatic Poem.* Boston: Ticknor and Fields. 1854. 16mo. pp. 123.

WE have read, with singular pleasure, the dramatic poem the title of which is copied at the head of this notice. Though it is published anonymously, its author is understood to be a very young man, not hitherto known to the public as a writer,—Mr. J. P. Quincy of Boston, a grandson of President Quincy, whose vigorous age, “frosty but kindly,” not only commands public attention and respect, whenever he wields a pen that has lost none of its strength, or lifts a voice of warning that has lost none of its eloquence, but is permitted to enjoy the literary distinction of those who inherit his name.

The drama of *Lyteria* claims the specific title of a classical composi-

tion; that is, in subject, simplicity of plot, limitation of the number of personages and of the time of the action, it resembles the tragedy of the ancients. The tragedy of *Ion*, which gave the late lamented Tal-
fourd his eminent position as a poet, belongs to the same class; and we are happy to say, that the production of our young countryman sustains no unfavorable comparison with the exquisite work of the laurelled scholar, whose genius adorned the bar, the bench, the House of Commons, and the stage:

In reading *Lyteria*, we are reminded of *Ion*, but only by those general similarities which grow out of the circumstance that they both are constructed upon the same principles of classical composition, and both have kindred excellences of style. *Lyteria* has borrowed nothing in sentiment or imagery from *Ion*; but resembles it in the easy and fluent verse, the finished rhythm, the elegant simplicity of language, and the purity of ethical tone, as also in the high conception of dramatic art, with which the author has carefully and thoughtfully executed his plan.

The legend of Marcus Curtius is one of the commonplaces of classical allusion; but the manner in which this germ is unfolded into a dramatic story, and shaped into a plot adequate to high tragic effects and affording situations for the display of the loftiest heroism and the tenderest human affection, is not only ingenious, but original. *Lyteria* is the daughter of Dælius, an aged priest; and Marcus Curtius, having vindicated the ancestral honors of his lineage by early deeds of arms, is received as an inmate in the temple. Two such natures — the heroic and noble character of Curtius, and the deep, devout, and tender spirit of *Lyteria*, nurtured in the sacred air of worship, and shedding by her beauty the light of grace on the austere solemnities of the Roman religion — could not be brought into each other's presence without soon finding that each is the predestined companion and complement to the other. The highest happiness of man's condition on earth seems within their grasp, when the full consent of the Patrician guardian of Curtius is freely given. But the gods have willed for them another destiny. A gulf has been supernaturally opened in the Forum, out of which issue poisonous vapors, sending pestilence through the devoted city. Astonishment, terror, death, strike the wretched people and fill the nobles and priests with dismay, at this inexplicable outburst of the wrath of the gods. The oracle is consulted, and by its ambiguous response gives a false hope that the divine anger may be readily appeased. But no; the precious treasure furnished by the Consul, and even the silver statue of Jupiter, upheaved from its firm base, and thrown into the abyss, are hurled back on the trembling plain. What, then, is the sacrifice, — that which is "most prized of Rome," — to which

the oracle mysteriously points? Curtius himself is the selected victim; and Lyteria, to whom he is just betrothed, is the chosen messenger through whom the will of the gods is to be conveyed to Rome. The manner in which the meaning of the oracle is gradually made clear to Lyteria, by mental impressions produced by the gods, and coincidences of words accidentally spoken with the mysterious language of the response, is highly poetical, and, though supernatural, perfectly natural. This species of management is in accordance with the practice of the best Greek tragic writers. The classical reader will remember the exquisite art of Sophocles, in the *Œdipus Tyrannus*, who unconsciously foreshadows by his own language the fatal secret he is endeavoring to bring to the light of day. The author of *Lyteria* has made a somewhat different, but very delicate and skilful application, of the classical method. The coincidence of the words by which Curtius is saluted, at the moment of his apparent triumph, with the language of the oracle, surely and awfully reveals the truth to the startled consciousness of Lyteria, whose situation now becomes one of the most pathetic and tragical which the human mind can conceive. The conduct of the drama through this part of the story affords, we think, a test of the ability of the author; and we find that he has come triumphantly out of the trial. There is a steady maintenance of the interest of the struggle, and a calm, quiet exhibition of power, in bringing out the points of the crisis, which nowhere breaks down or fails. The communication of the fatal truth to the lover and hero is another of the great turns in the fortunes of the piece, equally demanding steady power to carry it successfully through; and the tragic consummation by which Rome is saved, and Curtius, at the cost of life and love dearer than life, wins his place among the demigods of ancient renown, sustained to the last dread moment by the gentle but most heroic soul of her whose sacrifice is infinitely harder than his to bear, is wrought out with a justness of feeling, fineness of taste, and vigor of hand, fully equal to the requirements of high tragic art.

The characters in the drama are distinctly and consistently drawn, while the relations of the thought, and the appropriateness of sentiment to character and situation, are sustained with a subtle delicacy quite remarkable. The character of Lyteria is a noble and exquisite creation, uniting, as it does, the most womanly affections with high, heroic qualities, as far transcending the heroism of man, as the struggles of the soul surpass the daring deeds of the battle-field, or the yielding up of the idol of the heart surpasses the yielding up of life for a great cause, — as to live for duty, after life has lost its charm, is more heroic than to die and be at rest. We think the elements of this character are combined with true poetic feeling and exquisite artistic skill.

We have been peculiarly impressed with the simple and classic beauty of the style. It is always refined, tasteful, and appropriate, rising with the force and elevation of sentiment into poetical dignity. The temperate use of power, which, while equal to the great situations of the tragic story, begins in a gentle vein, and increases in force with the progress of the action, and the adroit management of the supernatural agencies where they are required to indicate the heaven-appointed victim, show a clearness of conception and a practised skill one certainly has no right to expect in a first dramatic attempt.

2. — *History of the Origin, Formation, and Adoption of the Constitution of the United States; with Notices of its Principal Framers.* By GEORGE TICKNOR CURTIS. Vol. I. New York: Harper and Brothers. 1854. 8vo. pp. 518.

WE have in preparation a review of this work *in extenso*, which we shall publish in the next number. We notice it now, merely to call the attention of our readers to it, as a book which fills a hiatus in our political literature. Mr. Curtis has conscientiously studied the documents relating to the subject, and drawn upon every accessible source of information and illustration. He has traced the successive steps which led to the formation of our present Constitution, beginning with the governments of the original thirteen Colonies, continuing through the Revolution, and finally through the disastrous period which intervened between the close of the Revolution and the establishment of our present government.

The subject is laid out in a very lucid order, and every point is thoroughly discussed. The great lesson derived from the history is, that the Constitution, though embodying abstract principles of the rights of man, was not the growth of *a priori* theories, but was framed to meet the practical wants of a suffering people, and was adapted to this end by the highest wisdom which was ever applied to human affairs.

Mr. Curtis has not neglected the important matter of style. A work, which in some hands would have been dry and repulsive, however important the subject, becomes in him very attractive by the charms of a style of Attic clearness and purity. At the same time, the elegance of his composition never oversteps the severe simplicity required by the gravity of the theme.